

**PRINCE WILLIAM COUNTY
CIRCUIT COURT CLERK'S OFFICE**

ELECTRONIC FILING AGREEMENT

This agreement is made between Prince William County Circuit Court Clerk's Office

(hereinafter "Clerk's Office") and _____

(hereinafter "Filer"), having its principal place of business at _____

The parties hereby enter into this agreement, pursuant to §17.1-258.3:1 of the Code of Virginia, for the purpose of granting Filer the right to electronically file land records, instruments, judgments and UCC financing statements with the Clerk's Office and to establish a method of payment for such filings. For good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties agree as follows:

1. FILING/RECORDING DOCUMENTS

Filer may electronically file documents listed in Schedule C and Clerk's Office agrees to record such documents using a third party automated system that is an agent for the Clerk's Office. **Documents electronically filed must have a 2 inch top margin on the first page of the document.** Documents e-filed must comply with the "Standards for Recording Instruments" (when applicable) as set forth by the Virginia State Library pursuant to Virginia Code §55-108; Schedule E attached.

2. AGREEMENT TO PAY

Filer agrees to pay recordation taxes, recording fees or clerks' fees assessed by the Code of Virginia. Filer agrees to pay such filing fees as may be established from time to time by the Clerk's Office. Fees must be paid by Automated Clearing House (ACH) transactions or wire transfer on the same day that the documents are electronically filed. Schedule B Authorization Agreement for Electronic Payments must be completed.

If payment is returned for any reason, Filer has three business days to provide replacement payment. If payment is not receipted, then no future documents submitted by Filer will be accepted by the eRecording system until the account has been paid in full.

3. NOTARIZATION AND ACKNOWLEDGEMENT

Land Records documents in order to be recorded shall comply with the requirements for notarization pursuant to §47.1 et. Seq. and §55-118.3 of the Code of Virginia.

4. NOTIFICATION OF SUBMISSION OF ELECTRONIC DOCUMENTS FOR RECORDATION

The Clerk will provide an electronic or other written notification of including the date and time of the receipt of the electronic document to the Filer that the electronic document has been received by the Clerk, but not recorded.

5. REJECTION OF DOCUMENTS

Electronic documents submitted for recordation through the eRecording System will be rejected if they fail to meet the image or file format specifications or security requirements of the eRecording System, or for failure to comply with the requirements as otherwise provided in the Code of Virginia. If an electronic document is rejected, an electronic or other written notification of rejection will be provided to the Filer.

6. TIME OF RECORDATION OF ELECTRONIC DOCUMENTS

Electronic documents received by the Clerk are deemed filed as of the time the Clerk provides an electronic or other written notification to the Filer that an electronic document has been recorded.

7. INDEXING REQUIREMENTS

Filer agrees to abide by the Indexing Requirements as published by the Clerk's Office. The present Indexing Standards are attached hereto as Schedule D and are incorporated by reference herein. The Indexing Standards are compatible with those established by the Property Recording Industry Association (PRIA) for file formatting. Any changes to the Indexing Standards will be posted on the Clerk's Office website.

8. CONTACTS FOR FILER

Filer shall provide the Clerk's Office with a completed Schedule A Filer Contact Information. It is Filer's responsibility to ensure that the information in Schedule A is current.

9. ENTIRE AGREEMENT

This agreement contains the entire understanding of the parties, there being no promises, warranties, or undertakings, written or oral, other than those expressly set forth herein. Furthermore, no modifications, alterations or amendments to this agreement shall be valid unless in writing, and signed by all parties, except as otherwise provided herein.

10. ATTACHMENTS

The attachments referred to in the body of this Agreement are an integral part of this Agreement and reference to this Agreement shall be deemed to include all the attachments.

11. SEVERABILITY

If any provision (or part thereof) of this Agreement is found to be invalid, then it shall be stricken and have no effect. The remaining provisions shall continue in full force and effect.

12. APPLICATION OF VIRGINIA LAW

The parties agree that, unless otherwise specified herein, the provisions of Virginia law shall apply including but not limited to the Virginia Uniform Electronic Transactions Act, the Virginia Uniform Real Property Recording Act and the Virginia Mortgage Satisfaction Act.

13. EFFECTIVE DATE

This Agreement is effective upon execution of this Agreement by both parties, as evidenced by the later of the dates reflected below.

14. TERMINATION

Either party may terminate this Agreement without cause with 15 days written notice to the other party. Filer remains responsible for payment of fees for the filing and recordation of documents prior to the effective date of termination.

15. NO WARRANTIES/RELEASE OF LIABILITY

Absent gross negligence or willful misconduct, Filer agrees to release the Clerk of the Circuit Court of Prince William County and the Prince William County Board of Supervisors from any liability in connection with the electronic filing and recordation of documents under this Agreement. Filer understands that there are no warranties, express or implied, in connection with such transactions.

16. ASSIGNMENT

Filer agrees not to assign any right or interest in this Agreement.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the date specified below:

Date _____

Date _____

Authorized Signatory for Filer

Authorized Signatory for Clerk's Office

Name and Title

Name and Title

Please mail a copy of all of the pages of this agreement to:
Clerk of Circuit Court
Attn: Electronic Filing
9311 Lee Avenue, Room 300
Manassas, VA 20110

Contact information for: Document Technology Systems, Ltd.
525 W. Portage Trail Ext.
Cuyahoga Falls, OH 44223
ach@dts-doc.com

Contact information for Circuit Court: 703-792-6035
Kathy Cooper kcooper@pwcgov.org
Angie Dye adye@pwcgov.org

**SCHEDULE A
FILER CONTACT INFORMATION**

Administrative Contact: (an individual familiar with the process of executing and filing Land Records Documents)

Name _____

Phone Number _____ Fax Number _____

Mailing Address _____

E-Mail Address _____

Other Contact Number(s) _____

Technical Contact: (an individual familiar with the Filer's computing environment and capable of resolving any technical issues)

Name _____

Phone Number _____ Fax Number _____

Mailing Address _____

E-Mail Address _____

Other Contact Number(s) _____

SCHEDULE B
DOCUMENT TECHNOLOGY SYSTEMS, LTD

Authorization Agreement for Electronic Payments

Company/Filer Name _____

Company/Filer E-mail Address _____

I (We) hereby authorize Document Technology Systems, Ltd. (agent for Clerk of Circuit Court of Prince William County Virginia) to initiate debit entries for purposes of payment of recording fees only via ACH Debit from my (our) account indicated below and the depository named below hereinafter called DEPOSITORY to debit the same to such account. The remote filing surcharge of \$3.50 per document filed electronically will be absorbed by the Clerk of the Circuit Court of Prince William County Virginia until further notice.

DEPOSITORY INFORMATION

Bank Name: _____

Address: _____

ACCOUNT INFORMATION

Acct. Type: Checking___ Savings___

Account #: _____

Bank Transit/Routing #: _____

Account Holder Name: _____

Account Holder Address: _____

This authority is to remain in full force and effect until Document Technology Systems, Ltd. has received written notification from me (us) of its termination in such time and in such manner as to afford Document Technology Systems, Ltd. and DEPOSITORY a reasonable opportunity to act on it.

Signature: _____ Date: _____

USER ID: _____ (to be assigned by Clerk's Office)

PASSWORD: _____ (Please choose the Password you would prefer to use. It must be a minimum of 3 characters, and not more than 10. It is case sensitive and must be in ALL CAPS.)

For Clerk's Office Use Only:

Processed by: _____ Date: _____

SCHEDULE C
E-FILING DOCUMENT LIST (as of October 31, 2006)

DOCUMENT TYPE	DOCUMENT CODE
AFFIDAVIT	47
AFFIDAVIT CORRECTED	115
AFFIDAVIT RERECORDED	116
AGREEMENT	48
AGREEMENT CORRECTED	117
AGREEMENT RERECORDED	118
AMENDED HOMESTEAD DEED	90
AMENDED TRUST	213
AMENDED TRUST CORRECTED	214
AMENDED TRUST RERECORDED	215
APPOINTMENT OF SUBSTITUTE TRUSTEE	88
APPTMT OF SUBSTITUTE TRUSTEE CORRECTED	180
APPTMT OF SUBSTITUTE TRUSTEE RECORDED	181
ASSIGNMENT	49
ASSIGNMENT CORRECTED	119
ASSIGNMENT RERECORDED	120
COMMISSIONERS DEED	77
COMMISSIONERS DEED CORRECTED	162
COMMISSIONERS DEED RERECORDED	163
CONFIRMATION DEED	224
CONFIRMATION DEED CORRECTED	225
CONFIRMATION DEED RERECORDED	226
CONTRACT	51
CONTRACT CORRECTED	122
CONTRACT RERECORDED	123
COVENANTS	80
COVENANTS CORRECTED	168
COVENANTS RERECORDED	169

MODIFICATION AGREEMENT	83
MODIFICATION AGREEMENT CORRECTED	174
MODIFICATION AGREEMENT RERECORDED	175
MORTGAGE	93
MORTGAGE CORRECTED	186
MORTGAGE RERECORDED	187
OPTION	85
OPTION CORRECTED	178
OPTION RERECORDED	179
PARTIAL RELEASE	55
PARTIAL RELEASE CORRECTED	127
PARTIAL RELEASE M/L	235
PARTIAL RELEASE M/L CORRECTED	236
PARTIAL RELEASE M/L RERECORDED	237
PARTIAL RELEASE OF LIEN	238
PARTIAL RELEASE OF LIEN CORRECTED	239
PARTIAL RELEASE OF LIEN RERECORDED	240
PARTIAL RELEASE RERECORDED	246
PARTIAL SATISFACTION	54
PARTIAL SATISFACTION CORRECTED	124
PARTIAL SATISFACTION RERECORDED	125
POWER OF ATTORNEY	72
POWER OF ATTORNEY & AFFIDAVIT	234
POWER OF ATTORNEY CORRECTED	152
POWER OF ATTORNEY RERECORDED	153
QUIT CLAIM DEED	65
QUIT CLAIM DEED CORRECTED	140
QUIT CLAIM DEED RERECORDED	141
RELEASE	216
RELEASE CONTRACT	210
RELEASE CONTRACT CORRECTED	211

RELEASE CONTRACT RERECORDED	212
RELEASE CORRECTED	217
RELEASE OF LIEN	233
RELEASE OF MECHANICS LIEN	81
RELEASE OF MECHANICS LIEN CORRECTED	170
RELEASE OF MECHANICS LIEN RERECORDED	171
RELEASE RERECORDED	218
RESIGNATION OF TRUSTEE	94
RESIGNATION OF TRUSTEE CORRECTED	188
RESIGNATION OF TRUSTEE RERECORDED	189
REVOG P/A CORRECTED	154
REVOG P/A RERECORDED	155
REVOCATION POWER OF ATTORNEY	73
SATISFACTION	66
SATISFACTION CORRECTED	142
SATISFACTION RERECORDED	143
SEPTIC TANK PERMIT	74
SEPTIC TANK PERMIT CORRECTED	156
SEPTIC TANK PERMIT RERECORDED	157
SUBORDINATION	98
SUBORDINATION CORRECTED	196
SUBORDINATION RERECORDED	197
SUPPLEMENTAL TRUST	84
SUPPLEMENTAL TRUST CORRECTED	176
SUPPLEMENTAL TRUST RERECORDED	177
TRANSFER	75
TRANSFER CORRECTED	158
TRANSFER RERECORDED	159
TRUST	63
TRUST CORRECTED	53
TRUST RERECORDED	86

**SCHEDULE D
INDEX STANDARDS**

INDEXING INDIVIDUAL NAMES

- **Individual names are always indexed last name first.**
- **Individual names are always indexed exactly as they appear on the document.**

John B. SMITH	SMITH, John B
John Bradford SMITH	SMITH, John Bradford
Mary-Jane SMITH	SMITH, Mary-Jane
Mary Jane SMITH-JONES	SMITH-JONES, Mary Jane
Jo Anne L FIELDS	FIELDS, Jo Anne L
Joanne B DUNKIN	DUNKIN, Joanne B
Michael James O’KELLY	OKELLY, Michael James
Mary Ellen VAN BUREN	VAN BUREN, Mary Ellen
Mary Ellen DE LAZARUS	DE LAZARUS, Mary Ellen
John Richard MC DONALD	MC DONALD, John Richard
John Richard MAC DONALD	MAC DONALD, John Richard
Hope ST CLAIR	ST CLAIR, Hope
Mary Ellen SMITH JOHNSON	SMITH JOHNSON, Mary Ellen
Michael Douglas EDISON SMITH	EDISON SMITH, Michael Douglas
Diane Marie (SMITH) JONES	JONES, Diane Marie Smith
	JONES, Diane Marie-aka
	SMITH, Diane Marie-aka
Diane Marie (BUNNIE) JONES	JONES, Diane Marie Bunnie
	JONES, Diane Marie-aka
	BUNNIE, Diane Marie-aka
Joseph C SMITH, 3 RD	SMITH, Joseph C-3 RD
Joseph C. SMITH, III	SMITH, Joseph C-III
Joseph C SMITH, Jr.	SMITH, Joseph C-Jr
Joseph C SMITH, Sr.	SMITH, Joseph C-Sr

- **Individual names are always indexed exactly as they appear on the Document (Title are not indexed).**

DR Elizabeth H STONE	STONE, Elizabeth H
LCDR Edward WHITE	WHITE, Edward

Mary C STONE Medical Doctor STONE, Mary C
INDEXING FIRM NAMES

- **When punctuation is used to indicate compound names, index them exactly the way they appear on the document.**

Smith-Jones Inc	Smith-Jones Inc
Zimple/Silverstein Inc	Zimple/Silverstein Inc
M-P of Maryland	M-P of MD
T-2 Assn of Wisconsin	T-2 Assn of Wisconsin
C/I Mitchell & Best Co	C/I Mitchell & Best Co
U-Haul	U-Haul
K-Mart	K-Mart
AFL CIO	AFL CIO
	A F L CIO
NVR Inc	NVR Inc
	N V R Inc
Northern Virginia's First	Northern Virginias First
NET.B@NK	NET.B@NK
BankVirginia/USA.COM	BankVirginia/USA.COM
E*TRADE.COM	E*TRADE.COM
A & B Construction Co	A&B Construction Co
	A & B Construction Co
PG & G Investment Co	PG & G Investment Co
Shannon & Luchs	Shannon & Luchs
3M	3M
5050 Referral Inc	5050 Referral Inc
1 st Virginia Bank	1st Virginia Bank
12th Street General Partnership	12th Street General Partshp

- **Always drop the word THE if it is the first word in a company name.**

The Business Bank	Business Bank
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- **Documents with the Board of Supervisors.**

Prince William Cty Bd of Sup

- **Documents with a locale as the title, index the locale name first.**

City of Manassas	Manassas City of
City of Manassas Park	Manassas Park City of
Prince William County	Prince William Cty
Town of Dumfries	Dumfries Town of
Town of Haymarket	Haymarket Town of

- **Documents with the Internal Revenue Service.**

U S Internal Rev Serv

- **Always index them as they appear of the document MT and ST.**

MT Vernon Realty	Mt Vernon Rlty
St. Patrick's Savings Bank	St Patricks Sav Bk
FT Mortgage	FT Mortgage
	F T Mortgage

- **Different variations for Secretary of Housing & Urban Development will appear on documents.**

Housing & Urban Dev Sec of

- **Different variations for the Commonwealth of Virginia Department of _____ will appear on documents.**

Virginia Commonwealth of _____

- **When a person's name appears as a company, index as follows:**

Samuel I White PC Trustee	Samuel I White PC Tr
Samuel I White P.C. Trustee	Samuel I White P C Tr
Samuel I White PC Substitute Trustee	Samuel I White PC Sub Tr
Samuel I White P.C. Substitute Trustee	Samuel I White P C Sub Tr

ADDITIONAL INDEXING GUIDELINES

- Always index the name(s) as it is typed on the document, even when it appears to be a typing error. If the correct spelling appears elsewhere on the document, index that spelling as well noted as AKA.
- All of the indexing information should appear in the first paragraph. Occasionally additional names will appear elsewhere. On a Deed going into a Living Trust some extra trustees may be on other pages. If the Deed is giving the property to two people and the Trust lists only one name on the first page, look at the signature page for additional names.
- If the person on the first page is listed as a “trustee” make sure they sign as a “trustee”, if they sign as an individual, then index both ways.
- All “grantees” on trusts and “grantors” on certificates of satisfaction are trustees and must be followed by “TR”.

John L. HANSON, Trustee	HANSON, John L-Tr
Joseph C. SMITH, III Trustee	SMITH, Joseph C-III Tr
Samuel I. WHITE, Trustee	WHITE, Samuel I-Tr
Stewart Title Inc Trustee	Stewart Title Inc Tr
Lawyers Title Realty Services Trustee	Lawyers Title Rlty Serv Tr

- On DEEDs, look for additional grantor names – these may appear in the “AND BEING” clause.
- Often the names of deceased parties or others will appear on a Deed and must be indexed. Index them with (–Decd) behind given names.
- Deceased people are not indexed on Deed of Trust.
- Look for an individuals or company’s name that is divided between two lines.

SCHEDULE E STANDARDS FOR RECORDED INSTRUMENTS

These standards are set forth by the Virginia State Library, pursuant to Virginia Code §55-108.

1. STATEMENT OF APPLICABILITY:

These standards shall apply to all writings required by law to be recorded and retained permanently in the clerk's office of the circuit courts of the Commonwealth. As noted in the section on exclusions, wills are exempt from the requirements of these standards.

2. RECORDING MEDIUM:

Instruments shall be recorded on paper that is uniformly white, opaque, smooth in finish, unglazed, and free of visible watermarks and background logos. The size of the paper shall be no less than 8 1/2 x 11 or larger than 8 1/2 x 14 inches. A minimum paper weight of 20 lb. is required. Positive (black on white background) copies may be substituted provided the copies meet the paper and quality inscription standards noted herein and are microfilmable and capable of producing a legible image from microfilm. Negative (white on black background) and carbon copies are not acceptable.

3. INSCRIPTION STANDARDS:

All inscriptions shall be black and shall be solid, uniform, dense, sharp, and unglazed. Inscriptions are solid when the lines forming each letter do not have blank or light spots, and they are uniform when the entire letter is the same darkness. To be dense, each letter must be dark, and to be sharp, the demarcation between each letter and the background must be abrupt. Inscriptions are unglazed if they are non-reflective. Signatures shall be in dark blue or black ink.

4. INSCRIPTION SIZE:

Printing shall be nine point or larger. Typing shall be elite (12 character per inch) or pica (10 characters per inch) or larger.

5. FORMAT:

A minimum one inch margin shall be provided on the left, top, and bottom margins and one-half inch on the right margin.

6. RECORDING STANDARDS:

Recordation inscriptions shall be by clerk's printed certificate, stamping, typing or handwriting and shall conform to the quality inscription standards noted above.

7. EXCLUSION:

These standards do not apply to wills, non-permanent disposable forms, such as Uniform Commercial Code forms, and Juvenile and Domestic Relations District Court and General District Court judgments and warrants. Original documents executed prior to July 1, 1986 shall be admitted to record. Where a plat is submitted as part of an instrument, the standards for plats shall apply.